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CITIZEN POTAWATOMI NATION

April 14, 2017

Chairman John Hoeven
Senate Committee on Indian Affairs
U.S. Senator, State of North Dakota

Vice Chairman Tom Udall
Senate Committee on Indian Affairs
U.S. Senator, State of New Mexico

Dear Senators:

The responsibility of the Citizen Potawatomi Nation's Tribal Historic Preservation Program (CPN THPO) is first and foremost to protect and preserve CPN land holdings in Oklahoma and the monitoring of important locations in the lands we once occupied prior to removal. Through Section 106 of the National Historic Preservation Act (NHPA) and internal cooperation of various tribal programs. The THPO program has been in operation since 2006 and charged with protecting Oklahoma properties, but our culture goes back to time immemorial in the region around the Great Lakes.

While we understand the need and recent call for infrastructure projects, we stress the importance of continuing the collaborative process that has been established with federal agencies, Indian tribes, and project developers to protect our irreplaceable sites and locations that are significant to our tribal history; this includes more than just 'Indian burial grounds'. Specifically, the Federal Communications Commission's Tower Construction Notification System (TCNS) Program has proven to be a very useful tool to address, track, monitor, and expedite the placement of cellular technology infrastructure.

It is imperative that the TCNS Program continue in-force to prevent damage and destruction of important sites located along pre-contact migration routes, historic era villages, and important sites along the Removal trail. CPN strictly limits our land area claim in the TCNS system to documented locations where they have lived and travelled through their removals. While the area may consist of a large land base, CPN has faced multiple removals over several states reaching back before the creation of the United States. We do not agree with any abuse of the TCNS territory claim by other Nations.

In addition to limiting our land claim, we have not always asked for fees. After several years of using the TCNS online response system with little to no issue, there did come a tower that caused us to rethink the fee system. In Indiana a tower was being constructed that was positioned almost directly on a known and mapped historic Potawatomi village given in a treaty to the chief Che-case. After several days of research and a phone call with a consultant at EBI we were able to secure reassurance that the site would be closely monitored for any disturbance to what could be an important cultural and archeological site. This effort led us to conclude that fees are necessary to pay for the additional

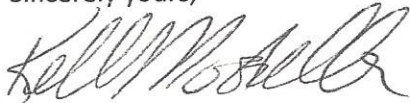
work that is needed to properly monitor these projects that occur over the several states that CPN has historic lands. The amount being paid out on a yearly basis is but a fraction of the overall profits these large telecommunication corporations make. It is imperative that we as sovereign tribal nations not be stripped of the right to continue commenting on all types of tower construction projects overseen by the FCC. These fees ensure the continued staffing of offices that conduct the reviews.

Over the past year, the CPN THPO staff has developed quality relationships with the many consultants installing telecommunication infrastructure facilities, including cell tower siting, through the TCNS Program. It is the policy of the CPN THPO to provide prompt response to all cell tower notifications. If and when any situations arise using the TCNS Program, we promptly contact industry consultants and/or FCC personnel to expedite resolutions.

With the emerging 5G technology by the wireless telecommunications industry, there is a need to modernize the existing TCNS system to meet the multiple small cell technology. We encourage Congress to support and increase federal funds to update the FCC's online platform to ensure that agencies compliance with the NHPA for our tribe and all other tribes, as well as continued support and increase in federal funds to support the 170 THPOs located throughout the country.

Should you have any questions or need additional information regarding the issues outline here please contact Dr. Kelli Mosteller, Cultural Heritage Center Director and THPO at kelli.mosteller@potawatomi.org or 405-878-5830.

Sincerely yours,



Kelli Mosteller, Ph.D.

Director, Citizen Potawatomi Nation Cultural Heritage Center

cc: Bambi Kraus, National Association of THPOs